

REMARKS

Reconsideration of the application is requested in view of the remarks below.

Restriction Requirement

The Office Action alleged that a restriction was required under 35 USC 121 along six groups. Applicants hereby elect, without prejudice, Group 2 (Claims 2-3, 13) with traverse. With respect to the requirement electing a single compound, Applicants' elect 2-(n-Butyl)-5-nitro-2,3-dihydrobenzofuran-3-ol according to Claim 3.

Applicants request that Claims 14-21 be entered into Group 2, because these claims are linked to Claim 13.


MPEP 806.05(f) indicates that a process of making and a product made by the process can be shown to be distinct inventions if either or both of the following can be shown: (A) that the process *as claimed* is not an obvious process of making the product and the process *as claimed* can be used to make other and different products; or (B) that the product *as claimed* can be made by another and materially different process. The Office Action has not shown such requirements. The Office Action has not shown the inventions in the different groups are separate and distinct. The grouping of the claims does not place a serious burden on the Examiner. Reconsideration is requested.

CH7893

- 2 -

In view of the foregoing remarks, Applicants request the reconsideration of the restriction as indicated above.

Respectfully submitted,

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CH7893

- 3 -